

(7) The American aeronautics industry is the top contributor to the United States balance of trade, with a net contribution of more than \$41,000,000,000 in 1998.

(8) Less than 10 years ago, American airplane producers controlled over 70 percent of the global market for commercial aviation.

(9) America's dominance in the world's civil aviation market is being challenged by foreign companies like Airbus, which now has approximately 50 percent of the world's civil aviation market, and is aiming to capture 70 percent.

(10) The rise of foreign competition in the global civil aviation market has coincided with decreases in NASA's aeronautics research budget and a corresponding increase in European investment.

(11) NASA's aeronautics laboratories have the research facilities, including wind tunnels, and technical expertise to conduct the cutting-edge scientific inquiry needed to advance state-of-the-art military and civil aircraft.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the United States should increase its commitment to aeronautics research funding.

SEC. 433. UNDERGROUND STORAGE TANKS. Not later than May 1, 2000, in administering the underground storage tank program under subtitle I of the Solid Waste Disposal Act (42 U.S.C. 6991 et seq.), the Administrator of the Environmental Protection Agency shall develop a plan (including cost estimates)—

(1) to identify underground storage tanks that are not in compliance with subtitle I of the Solid Waste Disposal Act (42 U.S.C. 6991 et seq.) (including regulations);

(2) to identify underground storage tanks in temporary closure;

(3) to determine the ownership of underground storage tanks described in paragraphs (1) and (2);

(4) to determine the plans of owners and operators of underground storage tanks described in paragraphs (1) and (2) to bring the underground storage tanks into compliance or out of temporary closure; and

(5) in a case in which the owner of an underground storage tank described in paragraph (1) or (2) cannot be identified—

(A) to bring the underground storage tank into compliance; or

(B) to permanently close the underground storage tank.

SEC. 434. The comment period on the proposed rules related to section 303(d) of the Clean Water Act published at 64 Federal Register 46012 and 46058 (August 23, 1999) shall be extended from October 22, 1999, for a period of no less than 90 additional calendar days.

SEC. 435. Section 4(a) of the Act of August 9, 1950 (16 U.S.C. 777c(a)), is amended in the second sentence by striking "1999" and inserting "2000".

SEC. 436. PROMULGATION OF STORMWATER REGULATIONS. (a) STORMWATER REGULATIONS.—The Administrator of the Environmental Protection Agency shall not promulgate the Phase II stormwater regulations until the Administrator submits to the Committee on Environment and Public Works of the Senate a report containing—

(1) an in-depth impact analysis on the effect the final regulations will have on urban, suburban, and rural local governments subject to the regulations, including an estimate of—

(A) the costs of complying with the 6 minimum control measures described in the regulations; and

(B) the costs resulting from the lowering of the construction threshold from 5 acres to 1 acre;

(2) an explanation of the rationale of the Administrator for lowering the construction site threshold from 5 acres to 1 acre, including—

(A) an explanation, in light of recent court decisions, of why a 1-acre measure is any less arbitrarily determined than a 5-acre measure; and

(B) all qualitative information used in determining an acre threshold for a construction site;

(3) documentation demonstrating that stormwater runoff is generally a problem in communities with populations of 50,000 to 100,000 (including an explanation of why the coverage of the regulation is based on a census-determined population instead of a water quality threshold); and

(4) information that supports the position of the Administrator that the Phase II stormwater program should be administered as part of the National Pollutant Discharge Elimination System under section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342).

(b) PHASE I REGULATIONS.—No later than 120 days after enactment of this Act, the Environmental Protection Agency shall submit to the Senate Environment and Public Works Committee a report containing a detailed explanation of the impact, if any, that the Phase I program has had in improving water quality in the United States (including a description of specific measures that have been successful and those that have been unsuccessful).

(c) FEDERAL REGISTER.—The reports described in subsections (a) and (b) shall be published in the Federal Register for public comment.

SEC. 437. PESTICIDE TOLERANCE FEES. None of the funds appropriated or otherwise made available by this Act shall be used to promulgate a final regulation to implement changes in the payment of pesticide tolerance processing fees as proposed at 64 Fed. Reg. 31040, or any similar proposals. The Environmental Protection Agency may proceed with the development of such a rule.

This Act may be cited as the "Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000".

ORDERS FOR TUESDAY, SEPTEMBER 28, 1999

Mr. ROBERTS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10 a.m. on Tuesday, September 28.

I further ask unanimous consent that on Tuesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period of morning business until 12:30, with Senators speaking for up to 5 minutes each with the following exceptions: Senator DURBIN, or his designee, 10 to 10:30; Senator SNOWE, or her designee, 10:30 to 11.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTS. Mr. President, I ask unanimous consent the Senate stand in recess from 12:30 to 2:15 for the weekly policy conferences to meet.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. ROBERTS. Mr. President, for the information of all Senators, the Senate will convene at 10 a.m. tomorrow and be in a period of morning business until 12:30. It is expected that tomorrow morning the Senate will be able to reach an agreement for the consideration of the Energy and Water Approp-

priations conference report. It is hoped the Senate would begin that conference report at approximately 11 o'clock on Tuesday for 45 minutes of debate. If that agreement is reached, Senators could anticipate the first rollcall vote to occur at approximately 11:45 in the morning.

Following the party conference meetings, the Senate may begin consideration of the digital millennium legislation or any conference reports or appropriations bills available for action while waiting for the continuing resolution from the House of Representatives. Therefore, Senators can anticipate votes throughout tomorrow's session of the Senate.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. ROBERTS. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:48 p.m., adjourned until Tuesday, September 28, 1999, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate September 27, 1999:

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

GERALD V. POJE, OF VIRGINIA, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS. (REAPPOINTMENT)

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. CHARLES F. WALD, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. RONALD C. MARCOTTE, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. THOMAS J. KECK, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. HAL M. HORNBERG, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. WALTER S. HOGLE, JR., 0000.

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. GARY S. MCKISSOCK, 0000.

IN THE NAVY

THE FOLLOWING NAMED TEMPORARY LIMITED DUTY OFFICERS FOR ORIGINAL REGULAR APPOINTMENT AS PERMANENT LIMITED DUTY OFFICERS TO THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTIONS 531, AND 5589:

To be lieutenant

ROBERT C. ADAMS, 0000
LARRY J. ADKINS, 0000
JEFFREY F. ALLSTON, 0000
KENNETH D. ALLWARD, 0000
SCOTT A. ANDERSON, 0000
ERIC H. ANDREWS, 0000
JAMES E. ANTHONY, 0000
FLORENCIO C. ARCEO, 0000
FRANK V. ARENA, 0000
TOMMY L. BAILEY, JR., 0000
GUY A. BAKER, 0000
VINCE W. BAKER, 0000
EDGARDO V. BALDUEZA, 0000
THEOMAS D. BALL, 0000
CELESTE D. BATEY, 0000
LORRINDA D. BENNETT, 0000
RONALD J. C. BENT, 0000
DENNIS R. BERRY, JR., 0000
JAY T. BLADEAU, 0000
MICHAEL C. BOBINGER, 0000
FERDINAND BOCACHICA, 0000
NORMAN L. BOLGER, 0000
WESLEY E. BOMYEA, 0000
ANTONIO B. BONNER, 0000
ANTHONY F. BOOKHART, 0000
RANDALL L. BOUGHTON, 0000
ALAN R. BRADLEY, 0000
MARK E. BRANHAM, 0000
PAUL H. BREDLAU, 0000
DANIEL A. BRINSON, 0000
PHILLIP K. BRIZZEE, 0000
GERARD T. BROSNAN, 0000
BARRY J. BROWN, 0000
ROBERT L. BROWN, 0000
STEVEN E. BURKE, 0000
BRIAN S. BURNS, 0000
COY B. BYINGTON, 0000
FUNDY A. CARABALLO, 0000
CHARLES K. CARL, 0000
FRANKLIN R. CHAMBERS, 0000
WALTER C. CHANEY IV, 0000
MICHAEL A. CLEVELAND, 0000
JASON CLOTFELTER, 0000
JAMES COOLEY, JR., 0000
TED J. COOPER, 0000

JOHN J. COYNE, 0000
TIMOTHY D. CRONK, 0000
JAMES W. CROOKHAM, 0000
RICHARD K. CROUSE, 0000
APRIL T. CROWELL, 0000
JOSEPH P. CUMMINGS, 0000
PETER M. CYR, 0000
WILLIAM L. DAVENPORT, 0000
FRANK S. DEVENUTO, 0000
JOHN J. DRENNEN, JR., 0000
MARK J. DUARTE, 0000
ROBERT J. DUPREE, 0000
EUGENE F. EARRHART, 0000
RODGER N. ELKINS, 0000
HENRY PAMULARO, 0000
KENNETH A. FAULKNER, SR., 0000
JOHN K. FERGUSON, 0000
STEPHEN J. FORREST, 0000
THEODORE A. FROELICH, 0000
GARY B. FROST, 0000
BRIAN H. GAINES, 0000
WAYNE T. GALBRAITH, 0000
CHRISTOPHER N. GILBERT, 0000
JEROME H. GIRDLESTONE, 0000
THOMAS M. GOREY III, 0000
JEFFREY D. GRISHAM, 0000
HOWARD D. GUBBS, 0000
RONALD P. GUSTIN, 0000
JAMES B. HADLEY, 0000
CHARLES A. HALL, 0000
JAMES L. HARRELL, JR., 0000
RANDELL R. HARRIS, 0000
CHARLES E. HARRISON, 0000
ARTHUR E. HARVEY, 0000
HARRY A. HAVERKAMP, 0000
DONALD R. HENDREN, JR., 0000
DAMON K. HILTON, 0000
CHARLES R. HOAGLAND, JR., 0000
LESTER L. HOOD, JR., 0000
ALVIN M. HOPKINS, 0000
EDWARD E. HUNTER, 0000
ROBERT J. HYDE, 0000
RICHARD L. IVEY, 0000

RENEE JARVIS, 0000
BARRY D. JONES, 0000
MICHAEL A. JULCH, 0000
WILLIAM J. KAELEBER, 0000
TIMOTHY F. KALVODA, 0000
BRIAN T. KENNEY, 0000
SUNG H. KIM, 0000
GLENN E. LAGGNER, 0000
JAMES G. LANGSTON, 0000
HERVE M. LARA, 0000
TIMOTHY P. LAWLOR, 0000
MILTON J. LOCKLEY, 0000
ALLAN J. LUCAS, 0000
BRADLEY S. MAKI, 0000
SCOTT A. MANN, 0000
DEBORAH A. MASON, 0000
DARREN L. MCFALL, 0000
JEFFREY D. MCFALL, 0000
MICHAEL J. MCGINN, JR., 0000
TENA L. MCKAY, 0000
THOMAS P. MCKEAN, 0000
ANDREW J. MCMENAMIN, 0000
KURT F. MELANGE, 0000
JOSEPH R. MILLER, 0000
RAFAEL MONELL, 0000
JAMES R. MOSS, 0000
MARK A. MUKANOS, 0000
HOWARD W. MUNIZ, 0000
GLENN D. MURPHY, 0000
RICHARD D. NEWTON, 0000
DANNY L. NOLES, 0000
GREGORY A. NORFLEET, 0000
JOYCE J. NYHAUG, 0000
ALVIN OGLETREE, 0000
SANTIAGO ORTIZ, JR., 0000
ALLEN D. OVERSTREET, 0000
STEVE PADRON, 0000
BRIAN K. PATTERSON, 0000
RONALD K. PAYTON, 0000
WILLIAM D. PEACH, 0000
ANDREW W. PELTON, 0000
KARL E. PERCY, 0000
JON R. PHILLIPS, 0000
KEVIN J. PHILLIPS, 0000
EDUARDO RAMIREZ, 0000

WILLIAM P. ALLEN, 0000
RICHARD H. BAILEY, JR., 0000
WILLIAM K. BANE, 0000
SCOTT M. BANNACH, 0000
RICKY A. BEATTY, 0000
BOBBY J. BECK, 0000
LISA M. BECOAT, 0000
ANGEL BELLIDO, 0000

KEVIN S. RAYMER, 0000
DENNIS L. REYNOLDS, 0000
ALBERT C. RICHMOND, 0000
TERRY L. ROBBINS, 0000
CHARLES A. ROBERTS, 0000
JUAN B. RODRIGUEZ, 0000
ALONZA ROSS, JR., 0000
KEITH J. ROWE, 0000
EDWARD T. RUSSELL, JR., 0000
SCOTT D. RUSSELL, 0000
JOHN M. SAIA, JR., 0000
MICHAEL L. SCHAEFFNER, 0000
KATHERINE A. SCHNEIRLA, 0000
DAVID B. SHANER, 0000
WILLIAM D. SHANLEY, 0000
ESSIX SHANNON II, 0000
RANDALL E. SHAW, 0000
JAMES D. SHELTON, 0000
RICHARD A. SHEPHERD, 0000
RICHARD S. SHERMAN, 0000
CHRISTOPHER S. SLAGLE, 0000
VINCENT E. SMITH, 0000
KEVIN R. SONCRANT, 0000
AARON W. STACY, 0000
GREGORY W. STARKEY, 0000
FRED T. STAUBS, JR., 0000
ALBERT W. STIMMELL, 0000
ROBERT E. STRICKLAN, 0000
JOSHUA L. STRIKER, 0000
WILLIAM J. SUMMERER, 0000
MICHAEL K. SUTORUS, 0000
MICHAEL C. THIBODEAU, 0000
BRIAN O. WALDEN, 0000
JAMES T. WARBURTON, 0000
TERRILL T. WATKINS, 0000
MATT A. WELLS, 0000
ROBERT A. WESTHEAD, 0000
MAX J. WILDERMUTH, 0000
DARRYL T. WILLIAMS, 0000
GWENDOLYN WILLIS, 0000
JEFFREY W. WILLIS, 0000
TIMOTHY J. ZINCK, 0000

DENNIS K. BENCH, 0000
TIMOTHY J. BERGAN, 0000
JIMMIE W. BRUCE, 0000
TIM P. BRUNDLE, 0000
BRADLEY J. CARDWELL, 0000
JEAN S. CARRILLO, 0000
TIMOTHY A. CARTER, 0000
DAVID D. COMER, 0000

To be lieutenant (junior grade)

ANTHONY L. CRAIGHEAD, 0000
ERNEST D. CULBREATH, 0000
TROY J. CZEMERY, 0000
MAC W. DIEHL, 0000
DIANNE M. DORRIS, 0000
PAUL A. DOSEN, 0000
BRYAN K. DUFFEY, 0000
THOMAS C. ENGLAND, 0000
FELIX J. ESTRADA, 0000
KATHRYNN R. FESTA, 0000
SEAN I. FISCHER, 0000
MICHAEL S. FOWLER, 0000
CLARENCE FRANKLIN, JR., 0000
CARMEN P. GASTON, 0000
WILLIAM A. GILBERT III, 0000
SCOTT A. GOBAR, 0000
DAMIAN D. GOMEZ, 0000
MAXINE GOODRIDGE, 0000
TERRY E. GRAHAM, 0000
JEFFREY R. HARMON, 0000
WILBUR L. HARMON, JR., 0000
ANTHONY L. HARRIS, 0000
PAUL B. HASLEY, 0000
STERLING B. HAWKINS, 0000
DONALD C. HENDRIX, JR., 0000
WILLIAM C. HESTER, JR., 0000
RIKI M. HILTON, 0000
DAVID G. HIRLINGER, 0000
PAUL M. HLOUSEK, 0000
DOUGLAS D. HOFFMAN, 0000
SCOTT G. HUNTER, 0000
STEPHEN A. JIRAN, 0000
JIMMIE L. JONES, 0000
BARNEY R. KASSMAN, 0000
KENNETH A. KASZA, 0000
DOUGLAS M. KENT II, 0000
KEN A. KOCH, 0000
DAVID L. KOON, 0000
ALFRED J. LAICER, JR., 0000
ANDY J. LANCASTER, 0000
TIMOTHY M. LEDBETTER, 0000
STEPHEN D. LEWIS, 0000
CLIFPTON J. LINES, 0000
WILLIAM O. LOCK III, 0000
JOSEPH L. LONGWELL, 0000
GREGORY C. LUDWIG, 0000
KENNETH C. LYNCH, JR., 0000

HERBERT MARSHALL, JR., 0000
SIMON L. MARTIN, 0000
RENATO D. MARTINEZ, 0000
STEVEN D. MAXWELL, 0000
TINA M. MCHARGUE, 0000
ROY W. MCKAY, 0000
LEROY MCKINNEY, JR., 0000
GREGORY R. MENARD, 0000
NICHOLAS P. MILANO, 0000
GREGORY D. MOCK, 0000
DENNIS R. MOHR, 0000
JEFFREY B. MONTGOMERY, 0000
BARBARA A. MYERS, 0000
PAUL NIX, JR., 0000
DANIEL A. OLIVERA, 0000
CARL R. PATTERSON, 0000
STEPHEN J. PAYSEUR, 0000
KEVIN M. PETTIT, 0000
FREDERICK POLANEC, JR., 0000
CALVIN E. PONTON, 0000
ROBERT R. POWELL, 0000
WARREN L. RABERN, 0000
SCOTT A. RAYBURN, 0000
RAUL RODRIGUEZ, 0000
ANTHONY D. ROPER, 0000
BRIAN K. ROTTNEK, 0000
KEVIN W. RUBEL, 0000
AMBER R. RYAN, 0000
JULIAN E. SALLAS, 0000
DAVID W. SCHMIDT, 0000
PAUL N. SHIELDS, 0000
CHARLES E. SMITH, 0000
KEVIN L. SMITH, 0000
RAYMOND C. SPEARS, 0000
WILLIAM P. STEPANIAK, 0000
ARRON R. STERLING, 0000
BARRY O. STOWELL, 0000
GARNAR A. SUTTON, 0000
MICHAEL SWANSON, 0000
PHILLIP F. SZUBA, 0000
KERRY P. TILTON, 0000
JOHN F. TROYANOS, 0000
EDGAR S. TWINING II, 0000
JERT L. VANAUKE, JR., 0000
KEITH J. VENGLAR, 0000
RONALD L. WALKER, 0000
VINCENT U. WEBSTER, 0000
MARK D. WESTBROOK, 0000
JACK V. WRBANICH, 0000
KIRK M. YOUNG II, 0000
KENDAL T. ZAMZOW, 0000
DANIEL L. ZIMMER, 0000